

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LEONARD S. EMBODY,)	
)	
Plaintiff,)	
)	
v.)	NO. 3:10-cv-126
)	JUDGE HAYNES
STEVE WARD, individually,)	JURY DEMAND
)	
Defendant.)	

**NOTICE OF AMENDMENT TO
DEFENDANT STEVE WARD'S RESPONSES TO
PLAINTIFF'S STATEMENT OF MATERIAL FACTS IN DISPUTE WHICH
PRECLUDE SUMMARY JUDGMENT**

Defendant Steve Ward amends and corrects the following response to "Plaintiff's Statement of Material Facts in Dispute Which Preclude Summary Judgment." (*See* Doc. # 26, 12/18/10):

18. Walsh stopped Embody by pointing a shot gun at him and telling him to put his weapon on the ground. (Depo. Ward, p. 28)

RESPONSE:

Disagree. The deposition citation does not support the proposed statement of fact regarding Ranger Joshua Walsh, and there is no other evidence in the record supporting that proposed statement of fact.

Respectfully submitted,

ROBERT E. COOPER, JR., BPR # 010934
Attorney General and Reporter

s/Mary M. Bers, BPR # 013159
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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of December, 2010, a copy of the foregoing was filed electronically to Phillip L. Davidson, 2400 Crestmoor Road, Suite 107, Nashville, TN 37215. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Copies will be served by the Court's electronic filing service on the following counsel of record:

s/ Mary M. Bers